

GP 1636



STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
ATTORNEYS AT LAW  
1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934  
PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skgf.com

RECEIVED

APR 20 2001

TECH CENTER 1600/2900

ROBERT GREENE STERNE  
EDWARD J. KESSLER  
JORGE A. GOLDSTEIN  
SAMUEL L. FOX\*\*  
DAVID K.S. CORNWELL  
ROBERT W. EDMOND  
TRACY-GENE G. DURKIN  
MICHELE A. CIMBALA  
MICHAEL B. RAY  
ROBERT E. SOKOHL  
ERIC K. STEFFE  
MICHAEL O. LEE  
STEVEN R. LUDWIG

JOHN M. COVERT\*  
LINDA E. ALCORN  
ROBERT C. MILLONIG  
MICHAEL V. MESSINGER  
JUDITH U. KIM  
TIMOTHY J. SHEA, JR.  
DONALD R. MCPHAIL  
PATRICK E. GARRETT  
STEPHEN G. WHITESIDE  
JEFFREY T. HELVEY\*  
HEIDI L. KRAUS  
JEFFREY R. KURIN  
RAYMOND MILLIEN

PATRICK D. O'BRIEN  
LAWRENCE B. BUGAISKY  
CRYSTAL D. SAYLES  
EDWARD W. YEE  
ALBERT L. FERRO\*  
DONALD R. BANOWIT  
PETER A. JACKMAN  
MOLLY A. McCALL  
TERESA U. MEDLER  
JEFFREY S. WEAVER  
KRISTIN K. VIDOVICH  
KENDRICK P. PATTERSON  
DONALD J. FEATHERSTONE

GRANT E. REED  
VINCENT L. CAPUANO  
JOHN A. HARROUN\*  
ALBERT J. FASULO II\*  
W. BRIAN EDGE\*  
ELDORA ELLISON FLOYD\*  
W. RUSSELL SWINDELL  
THOMAS C. FIALA  
LONNY L. MULLER\*  
BRIAN J. DEL BUONO\*  
VIRGIL L. BEASTON\*  
RYAN J. STAMPER\*

KAREN R. MARKOWICZ\*\*  
SUZANNE E. ZISKAA\*\*  
ANDREA J. KAMAGE\*\*  
NANCY J. LEITH\*\*  
ELIZABETH J. HAANES\*\*  
MARK P. TERRY\*\*

\*BAR OTHER THAN D.C.  
\*\*REGISTERED PATENT AGENT  
\*\*\*SENIOR COUNSEL

April 19, 2001

WRITER'S DIRECT NUMBER:

(202) 789-5525

INTERNET ADDRESS:

BRIAND@SKGF.COM

Commissioner for Patents  
Washington, D.C. 20231

Attn: Art Unit 1636

Re: U.S. Continuation Utility Patent Application  
Appl. No. 09/648,790; Filed: August 28, 2000  
For: **Recombinational Cloning Using Nucleic Acids Having Recombination Sites**  
Inventor(s): Hartley *et al.*  
Our Ref: 0942.285000C/RWE/BJD

Sir:

Transmitted herewith for appropriate action are the following documents:

1. First Supplemental Information Disclosure Statement (in duplicate);
2. 5 pages of Form PTO-1449 citing 24 documents;
3. A copy of each of the 24 cited documents; and
4. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
April 19, 2001  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono  
Attorney for Applicants  
Registration No. 42,473

BJD/law  
Enclosures

P:\USERS\WILLIAM\0942.285000C\idsclientltr.wpd  
SKGF Rev. 4/27/00 mac

RECEIVED  
#5  
APR 20 2001  
4/20/01  
TECH CENTER 1600/2900



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In reapplication of:

HARTLEY *et al.*

Appl. No. 09/648,790

Filed: August 28, 2000

For: **Recombinational Cloning Using  
Nucleic Acids Having  
Recombination Sites**

Confirmation No.

Art Unit: 1636

Examiner: To be assigned

Atty. Docket: 0942.285000C/RWE/BJD

**First Supplemental Information Disclosure Statement**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on January 29, 2001 in connection with the above-captioned application. A copy of each document is also provided.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following concise explanations of the relevance of the non-English language documents, Document Nos. AP4 and AM5, cited on the accompanying Form PTO-1449:

Document No. AP4, WIPO/PCT Publication No. WO 98/53056, is in the German language. The relevance of this document may be ascertained by reference to the English language abstract appearing on the face page of this reference, and to the unverified English language abstract (from Derwent WPI) cited as Document No. AR71 on the accompanying Form PTO-1449.

Document No. AM5, WIPO/PCT Publication No. WO 99/25851, is in the Japanese Language. The relevance of this document may be ascertained by reference to the English language abstract appearing on the face page of this reference, and to the unverified English language abstract (from Derwent WPI) cited as Document No. AS71 on the accompanying Form PTO-1449.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

This First Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any

overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono  
Attorney for Applicants  
Registration No. 42,473

Date: April 19, 2009

1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934  
(202) 371-2600

P:\USERS\ANGIE\0942\285000C\1st sup idspl 0942 285000C  
SKGF Rev 1/26/01 mac